



REBECCA GREENLAND

OBJECT

Submission ID: 200418

Organisation:	Key issues: <i>Land use compatibility, Traffic and transport, Visual</i>
Location: <i>New South Wales</i>	
Attachment: <i>Rebecca Greenland - IPC Submission.pdf</i>	

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Please refer to attached submission. Thank you.

“I love a sunburnt country, a land of sweeping plains, of ragged mountain ranges, of droughts & flooding rains. I love her far horizons...the wide brown land for me!”. Like Dorothea Mackellar, my family and our neighbours value our rural outlook and as a solar development threatens our way of life Miss Mackellar’s words appear quite prophetic when she lamented “all you who have not loved her, you will not understand”.

I **strongly oppose** the Middlebrook Solar Farm application.

I currently reside at “Brooklyn Cottage” which is noted as Receptor 15 in the EIS, approximately 2km from the proposed site. My partner & I conduct beef cattle and stud sheep breeding primary production enterprises on the property. Additionally, I conduct my legal practice from home. Accordingly I am present on the property 24 hours a day, 7 days a week.

My house looks directly south at the proposed solar farm development and my home office also faces the development site including the 6ha substation.

The developer asserts this project is differentiated from others as there is “no greater than low visual impact for any residence”. I strongly disagree with this objective assessment of “low impact” as it fails to take into account the scenic value which neighbours place on the area whilst also limiting the affects to a residence.

I submit that the developer’s classification of what constitutes a “scenic outlook” is very dispassionate and fails to recognise that I, my family and our neighbours choose to live where we live because of the very outlook which the proposed solar farm will be taking away. For a European based company to be able to disrupt our highly valued rural outlook for their own economic gain without compensation simply because they do not hold farmland in as highly regarded manner as do we is extremely disappointing and unjust.

The recent NSW Land & Environment Court decision in *IT Power (Australia) Pty Ltd v. Mid-Western Regional Council [2023] NSWLEC 1800* demonstrated that a proposed solar farm at Mudgee would be a “visual element that is not currently experienced...and [would] significantly alter the scenic quality & landscape character of the locality”.

Paragraph 15 of that decision indicated the solar company had failed “to capture every relevant adverse viewing impact” in their Visual Impact Assessment and I submit that the developer of the Middlebrook Solar Farm has done likewise. By restricting the visual impact to residential dwellings, the developer fails to take into account the fact that farming enterprises are undertaken outdoors and therefore the proposed solar farm site is in direct eye-line of my family during all daylight hours.

Paragraph 57 of the Mudgee decision indicated that “in a regional location the driveway to a property can be lengthy and forms part of the ‘communication to visitors’ or entry sequence to a property. Therefore, it is an important aspect of the experience or perception of place.” To someone living in a rural area, I have a sense of belonging and connection to the land around me & consider myself a custodian. I am highly concerned about the negative social &

mental health impacts on my family and others in the local area if a solar farm is imposed on us.

I further submit the developer's Visual Impact Assessment has failed to differentiate the "landscape character" of the Loomberah valley from the "visual impact". The 2022 Solar Guide definition of "scenic quality" includes the requirement to take into consideration community views or values when addressing this section of the State Environmental Planning Policy.

The Visual Impact Statement presented by the developer indicates that high value was placed on grazing land by 82% of those surveyed, on hills by 82%, on ridgelines by 74% and cropped farmland by 67%. Yet when describing grazing & cropping pastures on page 38 of the Visual Impact Statement, the developer has concluded low scenic quality, low sensitivity and low magnitude. When over 8 in 10 local people agree that grazing & farming land is important to them, and the developer states "the project will be a visible change in the landscape characterisation from areas at close range" how can the applicant then disregard the local sentiment to determine "the extent of this change is considered minor"?

Interestingly, the Council in the Mudgee decision submitted that the proposed solar array "is fundamentally different to the existing agricultural character of the valley" and that the "predominantly agricultural character of the valley floor will be fundamentally changed" (at paragraph 70) with the "most significant impact [being] the change in the 'openness' of the landscape character" (at paragraph 78) yet the Middlebrook Solar applicant purports "[this] Project is of a scale and form that is in keeping with the existing built form typology of the rural landscape and as a result the Project could be adequately absorbed by the landscape". I hope the Commission members can agree after visiting the proposed site that the introduction of 750,000 solar panels together with 100 inverter stations and a 6 hectare power substation with associated security fencing will indeed be a fundamental change to the local landscape character.

I further submit that by failing to appreciate the concerns of the local community, and in particular those of the neighbouring landholders, the Middlebrook Solar developer has failed to sufficiently factor our sense of place into its assessment of the visual impact of the proposal.

I urge the Commission to do as Senior Commissioner Dixon of the Land & Environment Court did and determine that the Middlebrook solar farm would be an "alien feature" and the development "uncharacteristic" which will "intrude on the landscape" (at paragraph 114) and "impact on our present rural visual outlook" (paragraph 121).

I note the Mudgee site is similar to Middlebrook in that it is also located in a valley which has elevated neighbours. Senior Commissioner Dixon found that development would "present as a large contiguous mass. The overall scale is excessive and incongruous with the surrounding landscape, which comprises low scale individual buildings, disconnected built form, separated by expanses of rural, open land." (paragraph 126). I respectfully submit this summation would also fit the Middlebrook proposal and further assert that the NSW Department of Planning's comment at paragraph 118 of their Assessment Report that the

“project design is consistent with the Solar Energy Guideline, particularly in avoiding sites with high visibility such as those on prominent or high ground positions, or sites located in a valley with elevated nearby residences with views towards the site” is incorrect with our property “Brooklyn” severely visually impacted by the proposed placement of the development.

The final similarity I will draw to the rejected Mudgee solar application is the fact that it is also not located in a Renewable Energy Zone (paragraph 130).

Page 65 of the EIS notes the burden of the “cumulative effects of two proposed solar farms in close proximity” in relation to the proposed Acacia/Lambruk development less than 5km away and the Technical Supplement – Landscape and Visual Impact Assessment Large-Scale Solar Energy Guideline (page 9) requires the developer to factor in other projects which may have direct or indirect cumulative impacts with the proposal. With Lambruk Solar Farm beginning the EIS process, and the Tamworth BESS & Calala BESS projects also proceeding, our 25km drive into Tamworth city will see us pass at least 3 other major renewable energy projects. From personal experience and witnessing the effect on my own family & friends, I can categorically confirm the proposed Loomberah solar projects are causing high levels of stress and anxiety for local landholders and I fear for the mental health of local residents, particularly neighbours who feel disenfranchised by this process. Why are all of the detrimental impacts of a foreign-owned solar development imposed on the Loomberah community when the area is not in the New England REZ?

Whilst I would prefer the Middlebrook Solar proposal be rejected, if it should proceed at the very least the following mitigation measures should be imposed on the project:

- (1) Sealing of both Middlebrook & Marsden Park Roads to ensure neighbouring properties gain some benefit from the project rather than just the detrimental effects of increased traffic, dust, noise and visual pollution. As a neighbour I feel the applicant’s proposed \$32,000 annual payment into a Community Benefit Fund would be better spent in either using these funds to bitumen the road or to directly compensate neighbouring properties.
Whilst I believe the applicant’s costings to seal the road are extremely low & I worry about the quality of the road surface, if it is indeed only \$322,000 to seal 4km of road, then why not impose the condition on the developer to seal the entire local road network which would benefit both neighbours and Council?
- (2) Requirement to re-locate the substation, carpark & associated buildings behind the knoll to reduce the visual impact on neighbours.
- (3) The Applicant should be required to not only plant trees along the boundary of the project but to also install soil mounds of a considerable height to lessen the visual impact from higher-placed neighbouring residences. If the applicant were to create a levy bank of sorts & then plant trees on top of it, the project could almost be entirely screened from neighbouring properties which is a major concern of mine.

- (4) A permanent prohibition on use of the bore & refusal of any water licence applications on the development site for any construction or solar-farm related uses with the exclusion of livestock grazing. Tamworth Regional Council should also be required to provide written confirmation that use of Council's standpipe for water supply is authorised. I note the recent Local Government Elections may have resulted in new councillors (& possibly a new Mayor) who are opposed to the solar project.
- (5) The applicant be required to produce its Accommodation & Employment Strategy prior to the commencement of any works on site and have it signed off by Tamworth Regional Council. Anecdotal evidence of skilled tradesmen shortages in Tamworth would suggest a workforce from outside the region will be required which, when combined with the current rental vacancy rate of 1.6%, suggests there will be heightened stress on local services & housing and minor benefit to the local economy.
- (6) The applicant be required to undertake soil, water & agricultural surveys prior to commencement of any works to obtain a baseline quality assessment.
- (7) The applicant be required to undertake assessment of the bridge on Middlebrook Road to ensure it can withstand the additional heavy vehicle traffic.
- (8) The applicant be required to complete traffic upgrades as originally required by TfNSW including Auxiliary Left-Turn treatment at New England Highway & Middlebrook Road intersection.
- (9) The applicant be limited to 150 on-site car parking spaces.
- (10) The applicant be prohibited from removing any trees from the site.
- (11) The applicant be required to obtain Livestock Production Assurance Accreditation prior to commencement of any works to ensure that agri-solar grazing can be implemented on the site. If LPA Accreditation is not available, then the applicant should not graze stock on the site and the merits of its weed control and other management plans will need to be re-assessed.
- (12) The applicant be required to remove all underground cabling & infrastructure from the site upon decommissioning, rather than just to 500mm.
- (13) Meaningful compensation to neighbours rather than token sums, must be offered by the developer if the project is to proceed. We have heard reports that the neighbouring Lambruk solar project is offering compensation sums of up to \$20,000 per year & wind farms seem to have better compensation schemes in place. Given the economic benefit to the developer, it is the least they can do to offset the negative impacts of the project. Providing a nominal sum to schools or halls does not compensate for the overall detrimental impacts of the project on neighbouring landholders. The proposed \$32,000 annual payment into a Community Benefit Fund would be better directed to affected neighbours.

For those of us who will bear the major brunt of an industrial development outside a Renewable Energy Zone, we implore the IPC to appreciate the total upheaval to our way of life that the Middlebrook solar project will bring about. I think Joni Mitchell said it best: "don't it always seem to go, that you don't know what you've got, till it's gone".

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